

(1390 REV. 5-93) US DEPT. OF COMMERCE PATENT &amp; TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER  
112387

**TRANSMITTAL LETTER TO THE  
UNITED STATES  
DESIGNATED/ELECTED OFFICE  
(DO/EO/US) CONCERNING A FILING  
UNDER 35 U.S.C. 371**

U.S. APPLICATION NO.  
(if known, sec 37 C.F.R. 1.12)  
10/089,835INTERNATIONAL APPLICATION NO.  
PCT/JP00/06979INTERNATIONAL FILING DATE  
October 6, 2000PRIORITY DATE CLAIMED  
October 7, 1999

## TITLE OF INVENTION

A METHOD OF TESTING FOR HEPATIC CIRRHOSIS USING A BREATH ANALYSIS APPARATUS AND THE APPARATUS

APPLICANT(S) FOR DO/EO/US  
Kouichi ISHIKAWA et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4.  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  has been transmitted by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US)
6.  A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  have been transmitted by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A **FIRST** preliminary amendment.
- A **SECOND** or **SUBSEQUENT** preliminary amendment.
14.  A substitute specification.
15.  Entitlement to small entity status is hereby asserted.
16.  Other items or information: Notification of Acceptance and Official Filing Receipt Status Request

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U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/089,835	INTERNATIONAL APPLICATION NO. PCT/JP00/06979	ATTORNEY'S DOCKET NUMBER 112387	
17. <input type="checkbox"/> The following fees are submitted:		CALCULATIONS	PTO USE ONLY
<p><b>Basic National fee (37 CFR 1.492(a)(1)-(5)):</b></p> <p>Search Report has been prepared by the EPO or JPO ....\$900.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) .....\$720.00</p> <p>No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....\$750.00</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....\$1,060.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ 100.00</p>			
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	FEB 13 2004 RECEIVED TECHNOLOGY CENTER R3700
Claims	Number Filed	Number Extra	Rate
Total Claims	- 20 =		X \$ 18.00
Independent Claims	- 3 =		X \$ 84.00
Multiple dependent claim(s)(if applicable)		+ \$280.00	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$	RECEIVED
Reduction by 1/2 for filing by small entity, if applicable.		- \$	OCT 10 2003
		<b>SUBTOTAL =</b>	\$
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)).		\$	GROUP 3600
<b>TOTAL NATIONAL FEE =</b>		\$	
		Amount to be refunded	\$
		Charged	\$
a. <input type="checkbox"/>	Check No. _____ in the amount of \$_____ to cover the above fees is enclosed.		
b. <input type="checkbox"/>	Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.		
c. <input checked="" type="checkbox"/>	The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed.		
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>			
<p>SEND ALL CORRESPONDENCE TO:          OLIFF &amp; BERRIDGE, PLC          P.O. Box 19928          Alexandria, Virginia 22320</p>			
Date: <u>February 5, 2003</u>		 NAME: James A. Oliff REGISTRATION NUMBER: 27,075	
		NAME: Thomas J. Pardini REGISTRATION NUMBER: 30,411	

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kouichi ISHIKAWA et al.

ATTN: PCT Branch

Application No.: 10/089,835

Docket No.: 112387

Filed: August 26, 2002

For: A METHOD OF TESTING FOR HEPATIC CIRRHOSIS USING A BREATH ANALYSIS APPARATUS AND THE APPARATUS

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**NOTIFICATION OF ACCEPTANCE AND FILING RECEIPT STATUS REQUEST**

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

The above-captioned patent entered the National Phase on April 4, 2002. The Declaration was filed on August 26, 2002. A Notification of Missing Requirements was mailed on June 7, 2002. A Response to the Notification of Missing Requirements was filed on August 26, 2002.

The original Notification of Acceptance and Filing Receipt have not yet been received. It is respectfully requested that the original Notification of Acceptance and Filing Receipt be immediately forwarded to the attorneys of record at the address set forth below.

If there are any questions regarding this matter, please contact the undersigned at the telephone number set forth below.

Respectfully submitted,

James A. Oliff  
Registration No. 27,075

Thomas J. Pardini  
Registration No. 30,411

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JAO:TJP/mlb  
Date: February 5, 2003  
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